

**Memorandum of the Meeting
Regular Study Session
Twenty-Sixth Town Council of Highland
Monday, November 03, 2008**

The regular study session of the Twenty-Sixth Town Council of the Town of Highland was convened at the regular place, the Highland Municipal, 3333 Ridge Road, Highland, Indiana, in the upper study meeting room on Monday, November 03, 2008 at the time of 7:15 o'clock p.m. immediately following a special meeting of the Town Council.

Roll Call: Dan Vassar, **Mark A. Herak**, Brian Novak, Konnie Kuiper and Bernie Zemen were present. The Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Also present: Rhett L. Tauber, Town Council Attorney was present.

Representatives from the Highland Chamber of Commerce: Mary Luptak, Executive Director; Bill Leep, Board of Directors; and Judith Mayer, Member of the Chamber were also present.

General Substance of Matters Discussed

1. The Town Council discussed the introduced Ordinance No. 1406, which if adopted would prohibit the sale and consumption of alcohol in all public ways, public buildings and public places. The Town Council conducted mark-up.

Ms. Luptak expressed the desire of the Chamber to allow the Zest Fest to continue the recent Beer Tent as part of its annual festival, which has been permitted for the last five years. Ms. Luptak indicated that the beer tent is about increasing attendance. The annual festival represents a source of revenue for the Chamber. She further represented that there have been no problems associated with this activity.

The discussion included whether or not the event was promoted as a family event. It was noted that the tent does support family as there is a special section for families to dine in the tent. It was further noted that the beer garden or tent is separated so that persons who do not desire to participate may not.

Some among the Town Council expressed concern about any alcohol consumption on public property because of the fear of liability for the Town in the event of an incident. Further, some expressed that this places some in competition with other vendors who offer alcohol.

The discussion included concern about the application of the ordinance to block parties and to individual consumption on parkways. The discussion included an examination of the nature of the liability for the event conducted by the churches for which the Police Chief signs the permit versus events permitted on Town property.

The discussion further included concerns about other activities that permitted similar behavior or the carnival rides and the exposure or liability that the Town suffers then.

The chamber departed at this time.

The Town Council discussed the competing merits of excluding block parties from the provisions of the ordinance.

2. The Town Council discussed the possibility of providing raises or bonuses. It was noted that the regular revenue stream was not presently sufficient to sustain any increase or regular raise. It was still further noted that raises might be supported by cuts in the FY 2009 or by new revenues. It was still further noted that the matter of bonuses could be revisited after the start of the new fiscal year.

3. The Town Council discussed the structure and meeting frequency of the Board of Sanitary Commissioners. The discussion included exploring seeking new members who would “own” the problem.
4. The Town Council discussed the status of the IURC referendum.

There were no further discussions or any further matters to come before the Town Council. The regular study session of the Twenty-Sixth Highland Town Council of **Monday, November 03, 2008** was adjourned at 8:30 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer